

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-LRL

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

/

**CSX TRANSPORTATION, INC.'S
MOTION TO COMPEL RESPONSIVE DOCUMENTS**

NOW COMES Plaintiff CSX Transportation, Inc. (“CSXT”), by counsel, and pursuant to Rule 37 of the Federal Rules of Civil Procedure and Local Rule 37, hereby moves this Court for an Order compelling Defendant Norfolk Southern Railway Company (“NS”) to produce responsive documents. In support of this Motion, CSXT refers this Court to its Memorandum in Support, filed contemporaneously herewith.

In accordance with Local Rule 37(E) of the Local Rules for the United States District Court Eastern District of Virginia, CSXT has made a good faith effort with opposing counsel to resolve the issues raised in this Motion.

WHEREFORE, for the reasons stated in the accompanying Memorandum in Support of this Motion to Compel, CSXT respectfully requests the Court: (1) order Defendants to produce all documents in their possession, custody, and control responsive to CSXT’s Document Request No.

26 and (2) award CSXT its costs and attorneys' fees incurred in the filing and prosecution of this matter.

Dated: February 17, 2020

Respectfully submitted,

CSX TRANSPORTATION, INC.
By Counsel

/s/ Robert W. McFarland

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CERTIFICATE OF SERVICE

I certify that on this 17th day of February 2020, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

/s/ Robert W. McFarland

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